



SACRAMENTO – SAN JOAQUIN
DELTA CONSERVANCY

3500 Industrial Blvd.
West Sacramento, CA 95691
<http://www.deltaconservancy.ca.gov>

Legislative Subcommittee

Requested Action: Receive update from Legislative Subcommittee and provide direction regarding next steps.

Recommendation: Direct staff to continue to work with Legislative Subcommittee to develop list of legislative priorities for this next legislative year, draft legislative guidelines and draft criteria for delegated authority to advocate on behalf of the Delta Conservancy.

Legislative Subcommittee Organization

The subcommittee did not select a chair, vice-chair, or set a regular meeting schedule at this meeting, but did schedule its next meeting on December 9. They discussed the fluidity of legislative activity, however, and decided that individual members would make themselves available to assist staff on an as-needed basis.

Legislative Subcommittee Draft Charter

The subcommittee discussed its draft charter (see below).

Draft Charter for the Conservancy's Legislative Subcommittee

Purpose: The Legislative Subcommittee is convened to advise the Conservancy Board and staff regarding its legislative agenda and other legislative and administrative matters with the potential to affect the Conservancy's ability to meet its mandates and mission.

Scope: The Legislative Subcommittee will have the following main objectives:

- Advise Conservancy staff of legislation to review and follow
- Report and make recommendations to the full Board regarding its activities
- Identify and pursue liaison opportunities regarding legislative initiatives
- Develop Conservancy legislative proposals
- Direct staff regarding legislation review and analysis
- Draft position letters for full Board, as timeliness permits

Meetings: The Legislative Subcommittee will meet at least quarterly, or more often at the discretion of the subcommittee. Meetings will be publically noticed.

In deliberating its charter, the subcommittee decided to bring to the full Board the question regarding what sort of delegated authority would be appropriate for the Conservancy's

legislative program. Various options and guidelines from other organizations were discussed. Subcommittee members agreed to get sample guidelines for delegated authority from these organizations and ask staff to write a draft set of guidelines for the subcommittee to review.

Staff will develop a draft set of guidelines for the subcommittee to review at its December meeting. The subcommittee anticipates bringing the guidelines to the full Board at its January 2012 meeting.

Delta Conservancy Advocacy Role

The subcommittee discussed the draft guiding principles developed by the Strategic Plan and Policy Subcommittee to assist with determining when the Conservancy would make a policy statement regarding issues affecting its ability to carry out its mandates and mission.

The following shows, in strikeout and underline text, suggested changes from the Legislative Subcommittee regarding the Conservancy's advocacy role. This is a draft and has not been reviewed or approved by the Strategic Plan and Policy Subcommittee or Delta Conservancy Board:

"The Delta Conservancy will use the following principles to guide how, when, and whether it will be appropriate for it to have a role or to make a policy statement regarding issues affecting its ability to carry out its mandates.

1. The issue meets the following criteria:
 - a. Is clearly within the Conservancy's statutory mandates; or
 - b. Impacts the Conservancy's ability to effectively meet its mission and mandates.
2. The ~~response~~ official position is based on sound, empirical information (e.g., scientific or fiscal information) and has been subject to a thorough analysis by staff.
3. The response is developed in an open forum that provides an equal opportunity for all Board Members, Agency Liaisons, and the public to participate to garner the widest possible range of viewpoints. This does not preclude Conservancy staff from gathering and providing information to legislators and their staffs.
- a. The Conservancy sees itself as having a significant role in gathering and sharing information that could affect its ability to effectively meet its mandates and mission with a broad spectrum of stakeholders.
4. The response balances the need to be inclusive with the need to be decisive and keeping in mind the Conservancy's co-equal responsibilities of ecosystem restoration and economic development.

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5. The response will reflect the Conservancy's culture of working collaboratively with others to develop cooperative solutions and valuing the diversity of all communities that care about the Delta."

Because questions, issues and opportunities arise unexpectedly and often require immediate response, the subcommittee discussed options for the Conservancy to act suitably as circumstances required. The subcommittee agreed that there needed to be an additional item about developing a set of delegation criteria (e.g., varying degrees or levels ranging from staff only to full Board approval) for taking positions to allow the Conservancy to respond to issues in a timely manner.

Possible Conservancy-sponsored Legislative Language

The subcommittee discussed developing and pursuing legislative changes or initiatives to help the Conservancy meet its co-equal responsibilities. Topics included suggested changes to enabling legislation previously approved by the Board (Attachment 1). Other topics discussed included ways to get and manage long-term operations and management funding for conservation; developing a finance plan for the Conservancy; and the potential for changes to the water bond.

Next Meeting

The next subcommittee meeting tentatively is scheduled for Friday, December 9, from 10 a.m. to noon, in Room 106 at the Conservancy offices, 3500 Industrial Blvd., West Sacramento.

Contact

Nancy Ullrey, Program Lead
Sacramento-San Joaquin Delta Conservancy
(916) 375-2087